

BEFORE THE NEBRASKA DEPARTMENT OF EDUCATION

	)	
	)	
	)	Case No. 21-03 SE
	)	
Petitioner,	)	ORDER ON MOTION TO
	)	DISMISS WITHOUT PREJUDICE
v.	)	
	)	
LINCOLN PUBLIC SCHOOLS	)	
5905 O Street	)	
Lincoln, NE 68510,	)	
	)	
Respondent.	)	

THIS MATTER comes before the Hearing Officer on Petitioner's Motion to Dismiss Without Prejudice. The Hearing Officer, being fully advised, finds that the above-captioned matter should be dismissed without prejudice.

IT IS THEREFORE ORDERED that the Petition in the above-captioned matter is hereby dismissed without prejudice.

Dated: 1/27/22

  
Hearing Officer

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	)	WITHOUT PREJUDICE
v.	)	
	)	
LINCOLN PUBLIC SCHOOLS	)	
5905 O Street	)	
Lincoln, NE 68510,	)	
	)	
Respondent.	)	

COMES NOW Petitioner, by and through attorneys, and moves to dismiss the Petition in this matter as follows:

1. Petitioner and Respondent have reached an agreement regarding the Special Education Placement and Program for pursuant to an Individual Education Plan agreed upon by the Parties on December 11, 2019.
2. Based on this agreement, Petitioner and Respondent further agreed to the dismissal of the Petition in this matter without prejudice.

WHEREFORE, Petitioner moves for dismissal of the Petition without prejudice.

Dated this 14<sup>th</sup> day of January, 2022.

By: s/ Dianne D. Delair  
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the above Motion for Dismissal without Prejudice was served via email, on:

Mona (Molly) Burton, Hearing Officer Anderson, Creager & Wittstruck PC LLO 1630 K Street Lincoln, NE 68508 <u>mburton@acwlaw.com</u>	Gregory H. Perry, #17775 233 South 13 <sup>th</sup> Street, Ste. 1400 Lincoln, NE 68508 (402) 476-9200 <u>gperry@perrrylawfirm.com</u>
Nebraska Department of Education Juan Román 500 S. 84th St., 2nd Floor Lincoln NE, 68510-2611 <u>juan.roman@nebraska.gov</u>	

On this 14<sup>th</sup> day of January, 2022.

s/ Dianne D. DeLair